

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Client-Matter No.: 67233-012
In re Application of	Stephen B. Auger	Confirmation No.: 8405
Serial Number:	08/865,419	Group Art Unit: 1751
Filed:	May 28, 1997	Examiner: M. Einsmann
For: MINERAL STAINS FOR WOOD AND OTHER SUBSTRATES		

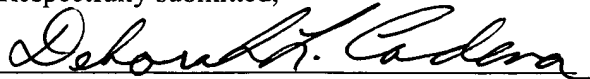
Applicant hereby appeals to the Board of Appeals from the last decision of the examiner.

1. ☒ Appeal fee (37 C.F.R. 1.17(b))
 - ☐ other than small entity \$330.00
 - ☒ small entity \$165.00
 - ☐ Verified statement attached
 - ☐ verified statement previously filed in prior application and such status is still proper.
2. ☒ A petition for an extension of time for reply to the rejection is attached.
 - ☒ Extension fee (37 C.F.R. 1.17(a) - (c))
 - ☐ other than small entity
 - ☐ \$110.00 ☐ \$420.00 ☐ \$950.00 ☐ \$1,480.00
 - ☒ small entity
 - ☐ verified statement attached
 - ☐ verified statement previously filed in prior application and such status is still proper.
 - ☐ \$ 55.00 ☐ \$210.00 ☒ \$475.00 ☐ \$740.00
3. ☒ Please charge my Deposit Account No. 502624 the amount of \$640.00, \$475.00 of which covers the fee for a three-month extension of time and \$165.00 which covers the notice of appeal fee. A duplicate copy of this sheet is enclosed.
4. ☒ The Commissioner is authorized to charge any additional fees required to file a Notice of Appeal to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.

Dated: June 3, 2004

McDERMOTT WILL & EMERY LLP
4370 La Jolla Village Dr., Suite 700
San Diego, California 92122

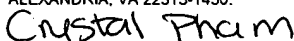
Respectfully submitted,


Deborah L. Cadena
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CERTIFICATE OF MAILING BY "EXPRESS MAIL" "EXPRESS MAIL" MAILING LABEL NUMBER: EV 400 552 720 US DATE OF DEPOSIT: June 3, 2004
I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.



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